

Applicants respectfully disagree with the Examiner that Ball anticipates claims 1 to 14 or 44 to 73 of the present application.

Claim 1 recites the following:

A method for controlling the use of a data object using encrypted network address information, comprising the steps of:

receiving a data object and encrypted network address information from a server;

playing the contents of said data object;

decrypting said encrypted network address information;

determining whether said decrypted network address information corresponds to a network address of said server;
and

if said correspondence does not exist, ceasing to play the contents of said data object.

Claim 44 recites the following:

A method for controlling the playing of content using encrypted network address information, comprising the steps of:

receiving a data object and encrypted network address information from a server;

decrypting said encrypted network address information;

determining whether said decrypted network address information corresponds to a network address of said server;
and

if said correspondence does exist, playing the contents of said data object.

Claim 60 recites the following:

An article of manufacture comprising a computer-readable medium having stored thereon instructions adapted to be executed by a processor, the instructions which, when executed, define a series of steps to be used to control the playing of the contents of a data object, said steps comprising:

receiving a data object and encrypted network address information from a server;

decrypting said encrypted network address information;

determining whether said decrypted network address information corresponds to a network address of said server;
and

if said correspondence exists, playing the contents of
said data object.

Claims 2 to 14 depend from claim 1. Claims 45 to 59 depend from claim 44. Claims 61 to 73 depend from claim 60. Respectfully, Ball does not describe "receiving a data object and encrypted network address information from a server," "decrypting said encrypted network address information" or "determining whether said decrypted network address information corresponds to a network address of said server."

Ball describes a license management system for managing the leniency of a "floating" license using an earned credit mechanism. The system of Ball utilizes "credit tokens" which a user accumulates during licensed use of a software application. When the license becomes invalid or the license system is unavailable, the user may continue to use the software if the user has credit tokens. As the user uses the software in this "license fault" state, the credit tokens are consumed. *See* Col. 4:18-36. Ball does not describe any use of encrypted network address information.

In contrast, certain embodiments of the present application, for example, use encrypted network address information to control a data object received from a server. Once received, the encrypted network address information is decrypted and compared to the address of the server from which it was received. If the address information does not match, use of the data object is not allowed or is only allowed in a limited form. Ball does not describe using encrypted network address information to control the use of data objects.

Claims 2 to 14, 43 to 59 and 61 to 73 depend from claims 1, 44 and 60. Accordingly, the arguments presented above in connection with claims 1, 44 and 60 apply equally to claims 2 to 14, 43 to 59 and 61 to 73. In view of the foregoing, it is submitted that Ball does not anticipate any of claims 1 to 14 or 44 to 73.

Thus, it is respectfully submitted that the rejection of claims 1 to 14 and 44 to 73 under 35 U.S.C. § 102(e) over Ball should be withdrawn.

Applicants also respectfully disagree with the Examiner that Ball anticipates claims 15 to 26 or 81 to 87 of the present application.

Claim 15 recites the following:

A method for controlling the playing of content using
encrypted network address information, comprising the steps
of:

receiving a data object and encrypted network address information from a first server;
playing the contents of said data object;
decrypting said encrypted network address information;
receiving a plurality of network addresses from a second server corresponding to said decrypted network address information;
searching said plurality of network addresses for a network address of said first server; and
if said search fails, ceasing to play the contents of said data object.

Claim 81 recites the following:

An article of manufacture comprising a computer-readable medium having stored thereon instructions adapted to be executed by a processor, the instructions which, when executed, define a series of steps to be used to control the playing of the contents of a data object, said steps comprising:
receiving a data object and encrypted network address information from a first server;
playing the contents of said data object;
decrypting said encrypted network address information;
receiving a plurality of network addresses from a second server corresponding to said decrypted network address information;
searching said plurality of network addresses for a network address of said first server; and
if said search fails, ceasing to play the contents of said data object.

Claims 16 to 26 depend from claim 15. Claim 82 to 87 depend from claim 81.

Respectfully, as explained above, Ball does not describe "receiving a data object and encrypted network address information from a first server" or "decrypting said encrypted network address information." Furthermore, Ball does not describe "receiving a plurality of network addresses from a second server corresponding to said decrypted network address information" and "searching said plurality of network addresses for a network address of said first server."

In contrast, certain embodiments of the present invention, for example, use encrypted network address information to control a data object received from a first server. Once

received, the encrypted network address information is decrypted and a list of network addresses is received from a second server, the second server corresponding to the decrypted network address information. This list of network addresses is then compared to the address of the first server from which the data object was received. If the first server's address information is not found in the list, use of the data object is not allowed or is only allowed in a limited form. Ball does not describe using encrypted network address information in this way to control the use of data objects.

Claims 16 to 26 and 82 to 87 depend from claims 15 and 81. Accordingly, the arguments presented above in connection with claims 15 and 81 apply equally to claims 16 to 26 and 82 to 87. In view of the foregoing, it is submitted that Ball does not anticipate any of claims 15 to 26 or 81 to 87.

Thus, it is respectfully submitted that the rejection of claims 15 to 26 and 81 to 87 under 35 U.S.C. § 102(e) over Ball should be withdrawn.

Applicants also respectfully disagree with the Examiner that Ball anticipates claims 27 to 33 or 74 to 80 of the present application.

Claim 27 recites the following:

A method for controlling the playing of content using encrypted network address information, comprising the steps of:

receiving a data object and encrypted network address information from a server;

playing the contents of said data object;

decrypting said encrypted network address information;

searching a plurality of network addresses for a network address corresponding to said decrypted network address information; and

if said search succeeds, ceasing to play the contents of said data object.

Claim 74 recites the following:

An article of manufacture comprising a computer-readable medium having stored thereon instructions adapted to be executed by a processor, the instructions which, when executed, define a series of steps to be used to control the playing of the contents of a data object, said steps comprising:

receiving a data object and encrypted network address

information from a server;
 playing the contents of said data object;
 decrypting said encrypted network address
information;
 searching a plurality of network addresses for a
network address corresponding to said decrypted network
address information; and
 if said search succeeds, ceasing to play the contents of
said data object.

Claims 28 to 33 depend from claim 27. Claims 75 to 80 depend from claim 74.

Respectfully, as explained above, Ball does not describe "receiving a data object and encrypted network address information from a server" or "decrypting said encrypted network address information." Furthermore, Ball does not describe "searching a plurality of network addresses for a network address corresponding to said decrypted network address information."

In contrast, certain embodiments of the present invention, for example, use encrypted network address information to control a data object received from a server. Once received, the encrypted network address information is decrypted and compared to a list of network addresses. If the server's address information is found in the list, use of the data object is not allowed or is only allowed in a limited form. Ball does not describe using encrypted network address information in this way to control the use of data objects.

Claims 28 to 33 and 75 to 80 depend from claims 27 and 74. Accordingly, the arguments presented above in connection with claims 27 and 74 apply equally to claims 28 to 33 and 75 to 80. In view of the foregoing, it is submitted that Ball does not anticipate any of claims 27 to 33 or 74 to 80.

Thus, it is respectfully submitted that the rejection of claims 27 to 33 and 74 to 80 under 35 U.S.C. § 102(e) over Ball should be withdrawn.

Applicants also respectfully disagree with the Examiner that Ball anticipates claims 34 to 43, 88 or 89 of the present application.

Claim 34 recites the following:

A method for calculating license fees for client software based on the network address of the content provider, comprising the steps of:

receiving a plurality of records from a plurality of
software clients wherein each record includes a network

address;
determining the number of records of said plurality of
records that include a particular network address; and
calculating a license fee for said particular network
address based on said number of records.

Claim 39 recites the following:

A system for calculating software licensing fees, comprising:
a plurality of software clients;
a plurality of content servers; and
a billing server,
wherein each of said plurality of software clients
downloads and plays content from said plurality of content
servers, *logs information about the content played, and sends*
said logged information to said billing server; and said billing
server *uses the logged information received from said plurality*
of software clients to calculate the number of times that content
from each content server was played and uses said number of
times to calculate a license fee to be charged to the entity that
operates the content server.

Claim 88 recites the following:

An article of manufacture comprising a computer-readable
medium having stored thereon instructions adapted to be
executed by a processor, the instructions which, when
executed, define a series of steps to be used to calculate license
fees for client software based on the network address of the
content provider, said steps comprising:
receiving a plurality of records from a plurality of
software clients wherein each record includes a network
address;
determining the number of records of said plurality of
records that include a particular network address; and
calculating a license fee for said particular network
address based on said number of records.

Claims 35 to 38 depend from claim 34. Claims 40 to 43 depend from claim 39.

Claim 89 depends from claim 88. Respectfully, Ball does not describe “receiving a plurality of records from a plurality of software clients wherein each record includes a network address,” “determining the number of records of said plurality of records that include a particular network address” or “calculating a license fee for said particular network address based on said number of records.” Nor does Ball describe software clients “log[ging]

information about the content played, and send[ing] said logged information to said billing server” and a billing server “us[ing] the logged information received from said plurality of software clients to calculate the number of times that content from each content server was played and us[ing] said number of times to calculate a license fee to be charged to the entity that operates the content server.”

In contrast, in certain embodiments of the present invention, for example, software clients log information about content they have downloaded/played from a content server and send that information to a billing server. The billing server then uses this information to calculate how many times content from each content server was downloaded/played and calculates a corresponding license fee to be charged to the entity which operates the content server. This calculation may be made, for example, by counting the number of times the content server’s network address appears in the logged information. Ball does not describe using information logged by software clients and sent to a billing server to calculate licensing fees for content providers.

Claims 35 to 38, 40 to 43 and 89 depend from claims 34, 39 and 88. Accordingly, the arguments presented above in connection with claims 34, 39 and 88 apply equally to claims 35 to 38, 40 to 43 and 89. In view of the foregoing, it is submitted that Ball does not anticipate any of claims 34 to 43, 88 or 89.

Thus, it is respectfully submitted that the rejection of claims 34 to 43, 88 and 89 under 35 U.S.C. § 102(e) over Ball should be withdrawn.

Applicants also respectfully disagree with the Examiner that Ball anticipates claims 90 to 97 of the present application.

Claim 90 recites the following:

A method for controlling the use of a data object using network address information, comprising the steps of:

receiving a data object and network address information from a server;
playing the contents of said data object;
sending a message to a verification server containing said network address information;
receiving a response from said verification server; and
if said response is negative, ceasing to play the contents of said data object.

Claims 91 to 97 depend from claim 90. Respectfully, Ball does not describe

“receiving a data object and network address information from a server” and “sending a message to a verification server containing said network address information.”

In contrast, certain embodiments of the present invention control the use of data objects by, for example, sending a message to a verification server including network address information received with the data object, and awaiting a message from the verification server verifying that the network address information belongs to a licensed content provider. Ball does not describe using network address information and a message to a verification server to control the use of data objects.

Claims 91 to 97 depend from claim 90. Accordingly, the arguments presented above in connection with claim 90 apply equally to claims 91 to 97. In view of the foregoing, it is submitted that Ball does not anticipate any of claims 90 to 97.

Thus, it is respectfully submitted that the rejection of claims 90 to 97 under 35 U.S.C. § 102(e) over Ball should be withdrawn.

Conclusion

It is respectfully submitted that the application is in condition for allowance, and Applicants request reconsideration and withdrawal of all grounds of rejection.

A Notice of Allowance is respectfully requested.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to Deposit Account No. 11-0600.

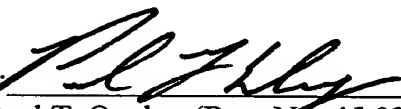
The Examiner is invited to contact the undersigned at (212) 425-7200 to discuss the application.

Respectfully submitted,

Dated:

7/14/03

By:


Paul T. Qualey (Reg. No. 45,027)
KENYON & KENYON
One Broadway
New York, N.Y. 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)